PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P05490WO	FOR FURTHER ACTION	See Form PCT/IPEA/416			
International application No.	International filing date (day/month/year)	Priority date (day/month/year)			
PCT/DE2004/000795	08.04.2004	14.04.2003			
International Patent Classification (IPC) or national classification and IPC					
michiatonal Facili Classification (17 0) of mational classification and 17 0					
Applicant SIEMENS AKTIENGESELLSCHAFT					
This report is the international prelin under Article 35 and transmitted to the		s International Preliminary Examining Authority			
2. This REPORT consists of a total of	2. This REPORT consists of a total of 7 sheets, including this cover sheet.				
3. This report is also accompanied by Al	NNEXES, comprising:				
a. (sent to the applicant and	to the International Bureau) a total of 2	sheets, as follows:			
sheets of the descrip sheets containing red Instructions).	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative				
		onsiders contain an amendment that goes beyond ed in item 4 of Box No. I and the Supplemental			
b. (sent to the International)	Bureau only) a total of (indicate type and num	aber of electronic carrier(s))			
	, containing a sequence listing and/or tables				
	related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).				
This report contains indications relati					
Box No. I Basis of the	report				
Box No. II Priority					
Box No. III Non-establi	shment of opinion with regard to novelty, inv	entive step and industrial applicability			
Box No. IV Lack of uni	ty of invention				
	tatement under Article 35(2) with regard to no d explanations supporting such statement	ovelty, inventive step or industrial applicability;			
Box No. VI Certain doc	uments cited				
Box No. VII Certain defo	ects in the international application				
Box No. VIII Certain obs	ervations on the international application				
Date of submission of the demand	Date of completion of	f this report			
Name and mailing address of the IPEA/EP	Authorized officer				
Facsimile No.	Telephone No.				

Translation

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International application No.
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Box	No. I	I	Basis of the report		
1.			the language, this report is based on the internation or this item.	al application in the language in v	which it was filed, unless otherwise
			ort is based on translations from the original languag the language of a translation furnished for the purpo		,
		int int	ernational search (Rule 12.3 and 23.1(b))		
		∐ pu	blication of the international application (Rule 12.4)		
		int	ternational preliminary examination (Rule 55.2 and/o	or 55.3)	
2.	recei		o the elements of the international application, this rece in response to an invitation under Article 14 are		
		the inter	national application as originally filed/furnished		
	\boxtimes	the descr	ription:		
		pages	1,3-12		as originally filed/furnished
		pages*	2,2a	received by this Authority on	14.02.2005 with the letter of 14.02.2005
		pages*		received by this Authority on	
	\boxtimes	the clain	ns:		
		nos.	1-13		as originally filed/furnished
		nos.*		as amended (together	with any statement) under Article 19
		nos.*		received by this Authority on	
		nos.*		received by this Authority on	
	\boxtimes	the draw	vings:		
		sheets	1/1		as originally filed/furnished
		sheets*			
		sheets*			
		a sequer	nce listing and/or any related table(s) – see Suppleme	ental Box Relating to Sequence L	isting.
3.		The ame	endments have resulted in the cancellation of:		
		th	e description, pages		
		_ th	e claims, nos.		
		$\overline{}$			
		an			
4.			port has been established as if (some of) the amendr	ments annexed to this report and	listed below had not been made, since
		th	e description, pages		
		the	e claims, nos.		
		the	e sequence listing (specify):		
*	If ite	m 4 appli	ies, some or all of those sheets may be marked "supe		

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Box			ticle 35(2) with regard to novelty, inventive step or industrial porting such statement	applicability;
1.	Statement			
	Novelty (N)	Claims	2, 9, 12, 13	YES
		Claims	1, 3-8, 10, 11	NO
	Inventive step (IS)	Claims		YES
		Claims	1-13	NO
	Industrial applicabili	ity (IA) Claims	1-13	YES
		Claims		NO

2. Citations and explanations (Rule 70.7)

This report makes reference to the following document:

D1: WO 02/103958 A

Document D1 discloses, in line with the features of claim 1 (the references between parentheses refer to that document), a method for billing a communications link established between a first communications terminal (see figure 1, reference sign 1) of a first packet-switching communications network (see figure 1, reference sign 2) and a second communications terminal (see figure 1, reference sign 12) of a second packet-switching communications network (see figure 1, reference sign 1), in which method:

- a message requesting the establishing of a communications link (see page 8, lines 28 and 29) is sent from the first (or second; see page 11, lines 1-7) communications terminal to a transition node (see figure 1, reference sign 9) between the first and the second communications networks (see page 8,

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

lines 27-33),

- the request message is further conveyed (see page 10, lines 7-9) from the transition node to an evaluation and control unit (see figure 1, reference sign 6),
- the evaluation and control unit evaluates the origin of the request message (see page 10, lines 9-11) and in a rule (see figure 3, last step and page 10, lines 11-13) determines how the communications link to be established is to be billed, i.e. which "GPRS charging identity" is to be billed (see page 10, lines 17-19), and whether the communications link is to be billed to A-subscriber (see page 10, lines 1-3) or is charge-free (see page 11, lines 9-26);
- billing is carried out accordingly using a billing computer (see figure 1, reference sign 14) (see, e.g., page 10, lines 15-29).

The subject matter of claim 1 thus lacks novelty (PCT Article 33(1) and (2)).

Claims 2-13 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty (PCT Article 33(2)) and inventive step (PCT Article 33(3)) with respect to the disclosure of document D1:

Claim 2: the rule is forwarded to all transition
 nodes (see figure 1, reference signs 5

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and 9) which are involved in collecting the packets to be transported for the

the packets to be transported for the communications link (see page 10, lines 13 and 25-29). The packets are collected by the transition nodes and appropriate billing is carried out by the billing computer when the communications link concerned is to be billed according to the rule (see, e.g., page 10, lines 15-29). The packets are clearly ignored by the transition nodes when no billing is to take place.

- Claim 3: one of the communications networks may be
 the Internet (see page 11, line 11).
- Claim 4: one of the communications networks is a
 packet-oriented mobile radio network (see
 page 7, lines 13-15).
- Claim 5: the communications link can be
 established between the terminals via the
 Internet (see page 11, lines 9-26).
- Claim 6: the transition nodes are components of a data packet control system which controls establishment of a connection (see page 7, line 27 page 8, line 2).
- Claim 8: a network computer of the mobile radio network is used as billing computer (see page 9, lines 31-33).
- Claim 9: since the establishment of the system in
 document D1 is symmetrical, the billing

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computer may also be part of the second communications network.

- Claim 10: the rule is stored in the transition nodes (see page 9, lines 21-23 and page 10, lines 11-13).
- Claim 12: a termination message must clearly be sent in order to terminate the connection. Following termination, the rule is not required and can clearly be deleted.
- Claim 13: interfaces are provided between the transition nodes and the billing computer (see figure 1, reference signs 5, 9, 10 and 14). An interface could also clearly be provided between the evaluation and control unit (see figure 1, reference sign 6) and the billing computer.

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Box No. VII	Certain defects in the international application		
The following def	The following defects in the form or contents of the international application have been noted:		
	The features of the claims are not followed by		
	reference signs placed between parentheses (PCT		
	Rule 6.2(b)).		